

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:	:	CHAPTER SEVEN
	:	
GARY SHAW	:	BANKRUPTCY NO.: 5-03-bk-52757
SANDY SHAW	:	
	:	
DEBTORS	:	
	:	
GARY SHAW	:	
SANDY SHAW	:	
	:	
PLAINTIFFS	:	{ Nature of Proceeding: Defendant, PNC
	:	Bank, National Association's Motion to
v.	:	Dismiss and, in the alternative, a Motion for
	:	a More Definitive Statement (Doc. 4A)}
PNC BANK, N.A.,	:	
	:	
DEFENDANT	:	ADVERSARY: 5-03-ap-50414

ORDER

For those reasons indicated in the Opinion filed this date, **IT IS HEREBY**

ORDERED that *Defendant, PNC Bank, National Association's Motion to Dismiss and, in the Alternative, a Motion for a More Definitive Statement* is **GRANTED**.

Counts III, IV, V and VI of the Complaint filed by Plaintiffs, Gary and Sandy Shaw, in the above-referenced adversary proceeding are dismissed for lack of subject matter jurisdiction.

Plaintiffs shall file a more definite statement with regard to Count II of the Complaint filed in this adversary proceeding within ten (10) days after notice of this Order. Failure to comply will result in Count II being stricken from Plaintiffs' Complaint.

Date: November 30, 2004


John J. Thomas, Bankruptcy Judge

(CMS)

This electronic order is signed and filed on the same date.